



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/975,945	10/11/2001	Charles Paclat	THEOR-205.1-US	9612
24972	7590	08/30/2005	EXAMINER	
FULBRIGHT & JAWORSKI, LLP 666 FIFTH AVE NEW YORK, NY 10103-3198			KHATRI, ANIL	
			ART UNIT	PAPER NUMBER

2193

DATE MAILED: 08/30/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/975,945

Applicant(s)

PACLAT, CHARLES

Examiner

Anil Khatri

Art Unit

2193

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 25 July 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-18 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-18 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

***Response to Amendment***

This action is in response to the request for reconsideration filed on 7/25/05.

As per applicant's request claims 1-18 have been considered but they are persuasive.

Claims 1-18 stand rejected under 35 SC 102(e) as being unpatentable over *Fontana et al* USPN 6,167,564.

In remarks applicants argues,

I) "Method for developing Enterprise JavaBean (EJB) component".

II) "Step of analyzing a business domain to determine functional requirements of business domain".

III) "Transforming functional requirements in to EJB component model".

IV) "System allows a user to develop business process application with the use of heterogeneous tools".

V) "Building an EJB component in accordance with EJB component model that encompasses the business functionality of business domain".

VI) "Recovering a first previously built domain model from a second heterogeneous environment and linking".

VII) "The influence of an action of one tool on other tools".

In response to applicant's arguments,

I) It was noted that cited reference fairly suggests that EJB components were incorporated in the in business process application in heterogeneous environment (column 10, lines 10-21) represents that. Thus limitations are met by the reference.

II) It was also noted that reference fairly suggest the step of analyzing a business domain to determine functional requirements of business domain (figures 3 A and B, column 7, lines 26-47) suggests that a business domain is well define organizational entity and comprises with wide range of functionalities and its requirements. Therefore, limitations are met by the reference.

III) Cites reference also suggests that transforming functional requirements in to EJB component model (figure 5, column 8, lines 52-67) and further allows to store them into database for future development (column 9, lines 6-23). Thus limitations are met by the reference

IV) It was noted that reference teaches and allows a user to develop business process application with the use of heterogeneous tools (see summary of the invention lines 63-67) and allowing user to interact and develop business application with tools (figure 2, column 7, lines 61-67). Therefore, limitations are met by the reference.

V) Reference also teaches building an EJB component in accordance with EJB component model that encompasses the business functionality of business domain as depicted in figure 7 and allows to create component model in accordance with business functionality (figures 8 and column 10, lines 60-67 and column 11, lines 1-5). Therefore, limitations are met by the reference.

Art Unit: 2193

VI) It was also noted that reference fairly suggests that recovering a first previously built domain model from a second heterogeneous environment and linking (figures 3 and 4) depicts this and (column 8, line 32-51) represents previous domain model can be recovered from the storage and reused for future development in heterogeneous environment (see column 6, lines 52-67..). Thus limitations are met by the reference.

VII) It is also suggested by the reference that the influence of an action of one tool on other tools (column 7, line 1-3). That UML tools influence the actions since it became de-facto in software development process and allows user to develop models as business functions requires. Therefore, limitations are met by the reference.

### ***Conclusion***

**THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

Art Unit: 2193

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Anil Khatri whose telephone number is 571-272-3725. The examiner can normally be reached on M-F 8:30-5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kakali Chaki can be reached on 571-272-3719. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

\*\*\*

  
**ANIL KHATRI**  
**PRIMARY EXAMINER**